

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/251,133
Filing Date	February 16, 1999
First Named Inventor	Girish V. Shah
Art Unit	1642
Examiner Name	C. Yaen
Attorney Docket Number	01819232

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on OCT 25 2002
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-0019
- i. ☒ RCE fee required under 37 CFR 1.17(e) 10/23/2002 SSESHE1 00000065 09251133
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 370.00 OP
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 570.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Joseph Mahoney	Registration No. (Attorney/Agent)	38,956
Signature	<i>Joseph Mahoney</i>	Date	October 21, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	EV113368763US
Signature	Timothy Hubalik
Date	October 21, 2002



Handwritten initials: JACE

PATENT
ATTORNEY DOCKET NO. 01819232

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

OCT 25 2002

TECH CENTER 1600/2900

In re Application of:

Girish V. Shah

Serial No.: 09/251,133

Filed: February 16, 1999

For: **NEUROENDOCRINE MARKER
OF PROSTATE CANCER AND
METHOD FOR PRODUCING
SAME**

) Group Art Unit: 1642

) Examiner: C. Yaen

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" mailing label number EV113368763US
Date of Deposit: October 21, 2002
I hereby certify that this paper or fee is being deposited with
the US. Postal Service "Express Mail Post Office to
addressee" under 37 CFR 1.10 on the date indicated above and
is addressed to: Assistant Commissioner for Patents,
Washington D.C. 20231
Signature of Timothy Hubalik
Timothy Hubalik

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

TRANSMITTAL LETTER

Transmitted herewith are the following:

1. Request for Continued Examination (RCE);
2. Amendment and Response to Final Office Action;
3. Declaration of Girish Shah under 37 C.F.R. 1.132;
4. Petition for Extension of Time (2 month);
5. Information Disclosure Statement under 37 C.F.R. 1.97 (b);
6. PTO/SB/08A and PTO/SB/08B Forms;
7. References cited;
8. Check for \$570.00 (RCE request - \$370.00 and extension of time fee - \$200);
9. Fee Transmittal; and
9. Return Postcard for acknowledging receipt of same.

Respectfully submitted,

By: *Signature of Joseph A. Mahoney*

Joseph A. Mahoney
Reg. No. 38,956

MAYER, BROWN, ROWE & MAW
P.O. Box 2828
Chicago, IL 60690-2828
(312) 701-8979
Dated: October 21, 2002



FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 570.00

Complete if Known

Application Number 09/251,113
Filing Date February 16, 1999
First Named Inventor Girish V. Shah
Examiner Name C. Yaen
Group Art Unit 1642
Attorney Docket No. 01819232

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OCT 25 2002

TECH CENTER 1600/2500

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

13-0019

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
		-20** =	X	= 0
		-3** =	X	= 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	200.00
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	370.00
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 570.00

SUBMITTED BY

Name (Print/Type)

Joseph A Mahoney

Registration No.
(Attorney/Agent)

38,956

Complete (if applicable)

Telephone

312-701-8979

Signature

Date

October 21, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.